

CIVIL WARRANT
WILLIAMSON COUNTY, TENNESSEE
Court of General Sessions

DOCKET # 2011-CV-2424

Price's Collision Center as
agent for Anne Crockett

Reset for: (1) _____
(2) _____

PLAINTIFF
Donald R. Barrett, Jr.
121 First ave, Franklin, TN
PLF's ATTORNEY (Address & Phone #)
615-790-8868

COPY

- OFFICER RETURN -

Received by undersigned officer on _____
and served on all named Defendants by reading same to them and
leaving a copy with them or by: _____

Date: _____, 20 ____.

By: _____
Sheriff/ Deputy Sheriff (_____ Co.) / Constable /
Private process server

vs.
Progressive Hawaii Insurance Corp
Serve Agent

DEFENDANT
Insurance Commissioner
Service of Process
ADDRESS
500 James Robertson Parkway
Nashville, TN 37243

DEFENDANT

ADDRESS

RECEIVED

AUG 15 2011

GENERAL SESSIONS

To Any Lawful Officer to Execute and Return:

Summon each Defendant to appear before the Judge of the General Sessions Court of this county on the 12th day of Sept, 20 11, at 10:00 .m., then and there to answer in a civil action brought by Plaintiff(s) for the following: Breach of Contract for failure to pay for repairs to vehicle
in the amount of 693.01
Plus Costs and Fees
under \$25,000.00

Issued Aug 15, 2011. By: Debbie McMillan Barrett, Clerk
Cecilia Fisher, Deputy Clerk

JUDGMENT ORDER

Judgment for _____ against _____ for \$ _____ plus interest at the rate of _____ %
and cost of suit, for which execution may issue.

Judgment entered by: ☐ Default ☐ Agreement ☐ Trial ☐ Confessed

Dismissed: ☐ Without Prejudice ☐ With Prejudice

Cost taxed to: ☐ Plaintiff ☐ Defendant

Defendant(s) _____ In Court and admitted to jurisdiction of Court.

This the _____ day of _____, 20 ____.

_____, Judge, Div. _____



NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel; family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

AFFIDAVIT

To the best of my information and belief, after investigation of defendant's employment, I hereby make affidavit that the defendant(s) is/are not a member of a military service.

Attorney for the Plaintiff or Plaintiffs

Notary Public

My Comm. Exp.: _____

ORDER

From which judgment the _____ prayed an appeal to the Circuit Court on _____, 20 ____.

_____, Judge, Div. _____

Subrogation Agreement

The undersigned hereby grants and conveys to Prices Collision Centers, LLC all of our right title and interest to pursue claims against Progressive Insurance Company under our Automobile Insurance Policy for failure to pay the required amounts under our policy.


This gives Prices Collision Centers the right to institute and bring litigation in our name and on our behalf to collect any and all amounts due under the policy.

We further assign to Prices Collision Centers any and all amounts recovered as a result of the actions taken pursuant hereto.

Witness our hands this 15 day of July, 2011.


Anne Crockett

Witness my hand and seal this 15 day of July, 2011.


Teresa Lynn Scales
Notary Public

My Commission Expires:
Apr 28, 2015



MY COMMISSION EXPIRES:
April 28, 2015

COPY

IN THE CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE

2011 NOV 22 PM 3:52

Price's Collision Center
PLAINTIFF Agent Eva Anne Crockett

VS.

DOCKET 2011 CV-2424

Progressive Hawaii Insurance
DEFENDANT

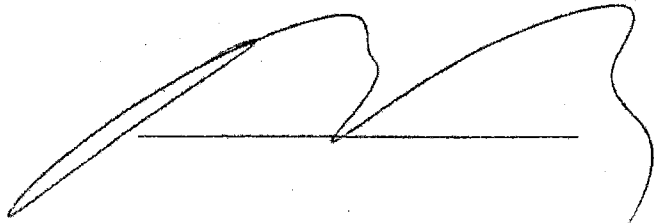
NOTICE OF APPEAL

Comes now the PLAINTIFF and hereby appeals to

the Circuit Court from the Judgment entered against him/her in the General Sessions

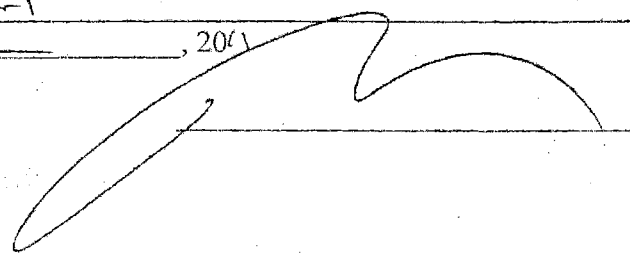
Court on 11/14/2011.

Respectfully submitted,



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Appeal has been forwarded
to Counsel for Defendant
on this the 22 day of March, 2011



IN THE CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE

PRICE'S COLLISION CENTER,
Agent for Anne Crockett,

Plaintiff,

vs.

PROGRESSIVE HAWAII INSURANCE,

Defendant.

FILED

DEC - 9 2011

Debbie McMillan Barrett
Circuit Court

Docket No. 2011 CV-638

MOTION FOR WAIVER OF LOCAL RULE 8.01

Comes the Defendant, through counsel, and in light of Local Rule 8.01 which directs the Clerk of this Court to automatically set this General Sessions appeal for trial, now requests the case not be set pending completion of appropriate written discovery. The Defendant anticipates this case can be set by agreement of counsel upon completion of proper discovery.

Respectfully submitted,

FEENEY & MURRAY, PC

By: 

John Thomas Feeney

BPRN 11482

P. O. Box 198685

Nashville, Tennessee 37219-8685

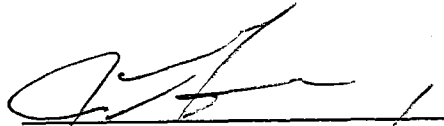
(615) 242-3700

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via U.S. mail, postage prepaid to:

Donald R. Barrett, Jr., Esq.
121 First Avenue
Suite 200
Franklin, Tennessee 37064

This the 8th day of December, 2011.


John Thomas Feeney

IN THE CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE

FILED

MAY 18 2012

Debbie McMillan Barrett
Circuit Court

PRICE'S COLLISION CENTER,
Agent for Anne Crockett,

Plaintiff,

vs.

PROGRESSIVE HAWAII INSURANCE,

Defendant.

Docket No. 2011 CV-638

MOTION FOR MORE DEFINITE STATEMENT

Comes the Defendant, through counsel, and moves the Court to require Plaintiff to provide a more definite statement pursuant to Rule 12.05 of the Tennessee Rules of Civil Procedure.

This matter stems from the appeal of a General Sessions case. The General Sessions Civil Warrant alleged that Defendant breached its contract with Plaintiff by failing to pay for repairs to Anne Crockett's vehicle in the amount of \$693.01.

As grounds for this Motion, Defendant would show that Plaintiff's written discovery requests are very broad and appear to involve issues well outside the scope of this matter as raised in the General Sessions Civil Warrant.¹ However, due to the lack of detail required in the Civil Warrant, Defendant's ability to determine the scope of its discovery response obligation is hindered. It is further expected that affirmative defenses that are properly raised in an Answer may apply to this

1

Examples of the Plaintiff's discovery requests include:

Interrogatory 12: Please identify any and all communication between you and any other third party concerning the quality, workmanship, performance, and/or value of the work performed by Price's Collision Centers, LLC;

Interrogatory 13: Please identify any internal communications regarding Price's Collision Centers, LLC.

Interrogatory 14: Please identify any communications between you and another insurance company concerning the quality, workmanship, performance, and/or value of the work performed by Price's Collision Center.

Interrogatory 15: Please identify any communications concerning your "preferred" shops in Tennessee for the repair of the vehicle of your insureds.

case. As such, Defendant anticipates the filing of a more detailed statement by Plaintiff, (a Complaint) will allow Defendant to file a proper Answer and join issue if appropriate. These pleadings will allow this matter to proceed as a typical Circuit Court matter.

WHEREFORE, Defendant specifically requests that Plaintiff provide specific allegations involving this matter, thereby allowing Defendant to Answer and determine appropriate limits on its discovery responses. In support of this Motion, Defendant relies on the General Sessions Civil Warrant filed in this matter and Rule 12.05 of the Tennessee Rules of Civil Procedure.

Respectfully submitted,

FEENEY & MURRAY, PC

By: 

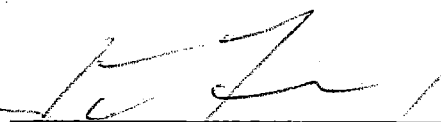
John Thomas Feeney
Attorney for Defendant
BPRN 11482
P. O. Box 198685
Nashville, Tennessee 37219-8685
(615) 242-3700

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via U.S. mail, postage prepaid to:

Donald R. Barrett, Jr., Esq.
121 First Avenue
Suite 200
Franklin, Tennessee 37064

This the 17th day of May, 2012.


John Thomas Feeney

IN THE CIRCUIT COURT FOR WILLIAMSON COUNTY, TENNESSEE

PRICE'S COLLISION CENTER, LLC,
Agent for Anne Crockett,

Plaintiff,

v.

PROGRESSIVE HAWAII INSURANCE

Defendant.

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) Case No. 2011 CV-638
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NOTICE OF APPEARANCE

Please take notice that William T. Ramsey, Andrew A. Warth, and Robert A. Peal of Neal & Harwell, PLC hereby enter their appearance as counsel of record for Plaintiff, Price's Collision Center, LLC, Agent for Anne Crockett in this matter.

Respectfully submitted,

NEAL & HARWELL, PLC

By: _____

William T. Ramsey, No. 9245
Andrew A. Warth, No. 27606
Robert A. Peal, No. 25629
150 Fourth Avenue North, Suite 2000
Nashville, Tennessee 37219
Phone: (615) 244-1713
Fax: (615) 726-0573

Donald R. Barrett, Jr., Esq., No. 11400
SIDWELL, BARRETT & WELCH, P.C.
121 First Avenue South, Suite 200
Franklin, TN 37064
Phone: (615) 790-8868

*Attorneys for Price's Collision Center, LLC
Agent for Anne Crockett*

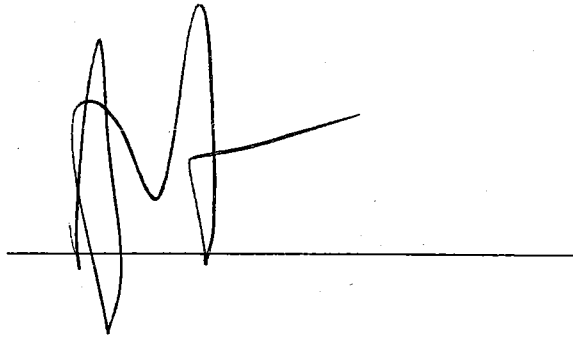
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via U.S.

Mail, postage prepaid to:

John Thomas Feeney
Feeney & Murray, P.C.
424 Church Street, Suite 2230
P.O. Box 198685
Nashville, TN 37219

This the 14 day of June, 2012.

A handwritten signature in black ink, consisting of a stylized 'M' with a vertical line through it, followed by a horizontal line extending to the right. The signature is written over a horizontal line.